



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-58442-2024
Date of Decision: 04.12.2024**

**JOBAN SINGH @ JOBANBIR
SINGH**

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. M. S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to grant a regular bail in case FIR No.166 dated 01.10.2023 registered under Section(s) 379-B(2) and 201 IPC and Section 25 of Arms Act at Police Station Majitha, District Amritsar, Punjab (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and has been arrayed as an accused on the basis of the disclosure statement made by the co-accused, which is inadmissible in evidence. The petitioner was arrested in the present case on 23.01.2024 and is in custody for the last more than ten months. He further contends that the similarly



placed co-accused namely Karanveer has already been admitted to bail by this Court vide Annexure P-3 and the petitioner may also be ordered to be released on bail.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 23.01.2024 and challan has already been presented against him. Further the co-accused Karanveer has already been admitted to bail by this Court. Thus, further custody of the petitioner will not serve any meaningful purpose.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.

(vii) The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

(viii) The petitioner shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled

and the State of Punjab shall be at liberty to move an appropriate application in this regard.

04.12.2024
M.Sikka

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No